

## **REMARKS**

The only issues outstanding in the Office Action mailed June 4, 2008, are the rejections under 35 U.S.C. 112 and 102. Reconsideration of these issues, in view of the following discussion, is respectfully requested. The Examiner is thanked for noting that claims 2, 7-9 and 11-12 are allowable. It is respectfully submitted that, in view of the following discussion, all claims are in condition for allowance. Entry of the foregoing amendments is further respectfully requested, inasmuch as they are responsive to the newly made rejection, over a reference cited for the first time in the Final Rejection. Thus, the amendments could not have been presented earlier. The Examiner is thanked for the teleconference at which the amendment to claim 1 was discussed. Although the Examiner has not yet responded to Applicants' proposed amendment, the amendment is being formally filed herewith to avoid further extensions of time.

### **Rejection Under 35 U.S.C. 112**

Claims 13-20 have been rejected under 35 U.S.C. 112, second paragraph. It is argued that, in claim 13, the first proviso is unnecessary. After review, Applicants concur and the first proviso has been deleted. Withdrawal of this rejection is respectfully requested.

### **Rejection Under 35 U.S.C. 102**

Claims 1 and 3-6 have been rejected under 35 U.S.C. 102(b) over Woudenberg '710. Reconsideration of this rejection is respectfully requested.

It is argued, at page 2 of the Office Action, that Woudenberg discloses, at column 10 (presumably the second compound at line 20 of column 10) a compound which anticipates that of the present claim 1, formula V, in which n is 0, R is methyl, E<sup>1</sup> and E<sup>2</sup> are both hydrogen, and X<sup>1a</sup>, X<sup>1b</sup>, X<sup>2</sup> and X<sup>3</sup> are all hydrogen, and B is subformula (i). In fact, it is believed that the Office Action meant to refer to a substructure (c) for B, inasmuch as it is in substructure (c) in which the double bond of ring B would be on the "inside" of the "bow" formed by the fused rings. The current claim 1, reciting that n is 1, 2 or 3 results in the present claims not reading on the disclosure of Woudenberg, as the reference lacks a disclosure of ring A. Accordingly,

withdrawal of this rejection is respectfully requested.

In conclusion, it is submitted that all claims are in condition for allowance, and passage to issue is respectfully requested. However, if the Examiner has any questions or comments, he is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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